

CHAPTER 1 - NCLB REQUIREMENTS

Background Information

The NCLB Act (Public Law 107-110) was a six year reauthorization of the Elementary and Secondary Education Act (ESEA). ESEA was first passed by Congress in 1965 with the latest prior reauthorization occurring in 1994 with the passage of the Improving America's Schools Act (IASA). The NCLB Act contained four basic reform principles:

1. Stronger accountability for results via assessments(testing)
2. Increased flexibility and local control
3. Expanded options, choices and alternatives for parents
4. Emphasis on teaching methods that have been proven to work

The NCLB funds are targeted into the following categories:

- ? Title I: Improving the Academic Achievement of the Disadvantaged
- ? Title II: Preparing, Training and Recruiting Highly Qualified Teachers and Principals
- ? Title III: Language Instruction for Limited English Proficient and Immigrant Students
- ? Title IV: 21st Century Schools – Safe and Drug Free Schools and Communities, 21st Century Community learning Centers
- ? Title V: Promoting Informed Parental Choice and Innovative Programs
- ? Title VI: Flexibility and Accountability

ESEA- IASA -1994

The prior ESEA, IASA Act:

- ? Required tests (assessments) in three grade spans (3-5, 6-9, and 10-12) in reading and math.
- ? Focused on improving the proficiency of children served by Title I programs. Now all children must progress as measured against academic content standards.
- ? Did not require a science assessment.
- ? Did not contain any of the mandates and sanctions now required for under performing Title I schools and Local Education Agencies (LEA).

The initial plans for NCLB were sent to Congress on January 23, 2001. At that time, only 11 states were in compliance with the 1994 ESEA requirements. President George W. Bush signed NCLB into law on January 8, 2002

Under the 1994 reauthorization, each state was supposed to develop comprehensive academic standards with curriculum-based tests that would be administered annually at three grade levels, in both reading and math. By the time the 1994 reauthorization was superseded by NCLB in 2002, only 21 states were in compliance with its accountability provisions.

The following table compares the requirements of the prior law with NCLB.

Table 2.1: Comparison of Key NCLB Accountability Requirements with South Dakota's Pre-NCLB Requirements

NCLB Requirements	IASA Requirement	Comparison with South Dakota's NCLB System as of January 2002
Statewide, grade-specific content standards in reading, math, and science.	Standards in reading and math. State discretion to have grade level expectations or standards at benchmark grades. SD developed standards for Language Arts (including Reading), Math, Science, and Social Studies for grades K - 12.	Standards for reading, math, and science and grade level expectations for each grade 3 through 8 and 11. SD has revised its K - 12 reading, language arts, and math standards and is in the process of revising the science standards.
Reading and math assessments in grades 3, 4, 5, 6, 7, and 8, and once in high school.	Assessments in reading and math once in each grade span: 3-5, 6-9, 10-12. SD gave the SAT9 in grades 2, 4, 8, and 11.	State assessments aligned with state academic standards in reading and math, for grades 3, 4, 5, 6, 7, 8, and once in grades 10-12 by the 2005-06 school year. SD provided Dakota STEP (augmented SAT10) for grades 3-8 and 11 during the 2002-03 school year.
Science assessments administered once in each of three grade spans (3-5, 6-9, and 10-12).	No federal requirement. SD provided the SAT9 for science in grades 2, 4, 8, and 11.	SD will be aligning the SAT10 science assessment to the revised science standards and augment the test as necessary. This will be completed by the spring 2006 administration of the Dakota STEP. NCLB requires science assessment to be given once in each grade span (3-5), (6-9), (10-12). The SAT 10 is currently given at each grade 3-8 and 11.
Assessments of English proficiency in reading, writing, listening, and speaking.	No requirements.	SD provides the SELP test for LEP students on an annual basis. This test covers all 4 domains but will be augmented to align to the newly developed ELP standards.
Determinations of "adequate yearly progress" (AYP) for each school and school district—based on (1) overall performance and the performance of student subgroups, (2) measures of proficiency, test participation, attendance, and graduation.	Requirement for accountability system for Title I schools only. SD definition of AYP under IASA = 5% growth in reading or math each year for grades 4, 8, and 11.	Accountability system applies to all public schools and districts. 1) AYP is measured for reading and math separately by comparing the subgroup, school, and district score (% students scoring proficient or advanced on the Dakota STEP test) to the established target. 2) The all student group and each subgroup must have at least 95% participation in the state test. High schools must have a 90% graduation rate or make progress on the measure while elementary and middle schools need a 94% attendance rate or make progress.

“Report cards” on school and district performance and disseminate to parents and the public.	State, district, and school assessment results, including disaggregated subgroups, reported as profiles. AYP for all Title I schools was reported as well as those schools identified for improvement status.	The NCLB Report Card is designed to report state, district, and school level accountability and assessment information in the aggregate and disaggregated for each student subgroup. Each report must compare the actual achievement to the target, % students not tested, two-year trend data, and graduation and attendance rates. AYP status for each school and district must be reported as well as the names and numbers of those identified for improvement status. The % teachers meeting qualifications, number of classes not taught by highly qualified teachers, in the aggregate and disaggregated by poverty level of the school.
Sanctions for low-performing schools (school choice, supplemental education services, corrective actions, and restructuring).	Sanctions for Title I schools included identification, public notification and writing a school improvement plan.	Identification, public notification, and writing a school improvement plan constitute the sanctions for all public schools and districts. Title I schools must also offer choice, supplemental services, be subject to corrective actions applied by the district, and undergo restructuring planning and alternative governance established by the district if AYP continues to be missed. Title I districts that continue to fail to make AYP will be subject to corrective actions applied by the state.
“Highly qualified” teachers in core academic subjects by the 2005-06 school year (See Appendix A).	Title I teachers were to be certified in the content areas teaching.	All public school teachers of core academic subjects must be highly qualified by the end of the 2005-06 school year. Teachers new to the profession must be certified to teach the classes assigned and pass a test in order to meet the requirements. Existing teachers must also be certified in all subjects teaching and have three years of experience as defined under SD H.O.U.S.S.E. rules. Title I teachers must be highly qualified before hire.
Title I paraprofessionals meet NCLB-specified qualifications by January 2006 (See Appendix B).	Paraprofessionals were to have at least a high school diploma or GED.	Title I paraprofessionals must have a high school diploma or GED and pass the ParaPro test, have completed 48 credits at an approved institution of higher education, or have at least an Associate degree.
Source: SDDOE		

NCLB- Purpose

The NCLB Act set ambitious goals in an attempt to close the achievement gaps between the various student subgroups.

The purpose of NCLB as specified in the Act is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments.”

The NCLB Act (Public Law 107-110) is a large document consisting of 670 pages. The main component of the act is Title I, Part A, which funds educational services for disadvantaged students. Title I, Part A, accounts for approximately 29.2% of the funding expended by SD under the NCLB Act and 52.9% of all funding expended if Impact Aid is excluded. Title I, Part A established the key accountability requirements to help ensure all students become proficient.

Therefore, the focus of our review concentrated on Title I, Part A. While the remaining titles contain significant amounts of federal funding, the new requirements do not have near the impact as those created in Title I, Part A.

Additional Requirements

Resources provided under NCLB are to help improve instruction in high-poverty schools and ensure that poor and minority children have the same opportunity as other children to meet challenging State academic standards. The main highlights of the new reauthorization were:

- ? States were required to develop content standards in reading and math and develop assessments linked to those standards for all students in grades 3-8 by 2005-2006 and science by 2007-2008.
- ? States were required to plan a single, statewide accountability system that tracks each school district's and school's progress toward 100 percent proficiency.
- ? States were required to prepare an annual report card on each school's, each LEA's, and the State's progress in meeting the AYP objectives with all children being proficient by 2013-2014.
- ? Imposes specific sanctions on schools, LEA's and the state for not meeting established AYP objectives for two consecutive years.
- ? Sets annual measurable objectives concerning the provision of "high-quality" professional development for teachers.
- ? Implement activities to involve parents in programs funded by Title I, Part A.